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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,395	11/19/2003	Naoko Ono	245452US2RD	5317

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EXAMINER	
BALAOING, ARIEL A	
ART UNIT	**PAPER NUMBER**
2617	

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/715,395	ONO ET AL.	
	Examiner	Art Unit	
	Ariel Balaoing	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *05/03/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Response to Arguments

2. Applicant's arguments filed 06/05/2006 have been fully considered but they are not persuasive.

It is noted that the arguments presented in the applicant's response are directed to newly amend independent claims 1 and 11. However, independent claim 9 was left in its original presentation and therefore the rejections of the previous office action are maintained for claim 9 and its dependencies.

3. Applicant's arguments with respect to claims 1-8, and 11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the applicant recites the limitation "and to share the service location information through an ad hoc network with another apparatus that is served by *the wireless base station*" on lines 12-14 of the claim. However, "a plurality of base

stations" is recited in the claim. It is unclear whether "the wireless base station" refers to a single base station on the network, the plurality of base stations, or any base station in general.

Claims 2-8 are rejected for being dependent on an indefinite claim.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over FOGEL (WO 01/50151 A1) in view of ERIKSSON et al (US 2002/0059453 A1) and COMSTOCK et al (US 2002/0183038).

Regarding claim 1, FOGEL discloses an apparatus used in a mobile communication system with a plurality of wireless base stations (page 20, lines 1-13), comprising: an acquiring unit configured to acquire identification information of said wireless base stations (page 15, lines 6-24); a location detecting unit configured to detect a present location of the apparatus upon acquiring at least one of identification information of said wireless base stations (page 15, lines 14-24; page 15, line 23-page 16, line 11; location of apparatus is achieved through GSM signals correlated with acquired base station location, or alternatively, the location of the base station serves as the location of the mobile device); an storing unit configured to store service location information in which to associate the acquired identification information with the detected present location of said apparatus (page 15, lines 6-24; page 20, lines 1-13;

memory of some form is inherently necessary to store acquired data, a lookup table is used to determine base station location); a location information providing unit configured to figure a location of said wireless base stations using the detected present location of said apparatus stored in said storing unit (page 14, line 3-page 15, line 13; lookup table corresponds to the current location of the wireless device, as seen on page 14, latitude and longitude of wireless base stations are acquired by the mobile device). Although FOGEL suggest the use of the invention to help in navigation (abstract), FOGEL does not expressly disclose wherein the location information providing unit provides the figured location of said wireless base stations, and to share the service location information through a network with another apparatus that is served by the wireless base station. ERIKSSON discloses a location information providing unit configured to figure a location of a plurality of wireless base stations [access points] using a detected present location of an apparatus stored in a storing unit and to provide the figured location of said wireless base stations, and to share the service location information through a network [Personal Area Network] with another apparatus that is served by the wireless base station (Figure 2; abstract; paragraph 15, 27-28, 31, 38, 39, 42-44, coordinates and directions are provided to the user on access points determined by user profile and location of the user. Location information is provided to another communication device using a personal area network to provide the mapping of the access points). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify FOGEL to present figured locations of a plurality of wireless base stations, as taught by ERIKSSON, as both systems relate to

positioning and navigation of a wireless device. This is beneficial in that a user can select desired service requirements for locating network access. Although it is clear that ERIKSSON uses a personal area network to communicate access points (paragraph 15, 27-28, 31, 38, 39, 42-44), the combination of FOGEL and ERIKSSON does not expressly disclose the use of an ad hoc network. COMSTOCK discloses the use of an ad hoc network (paragraph 19-21). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of FOGEL and ERIKSSON to use an ad hoc network in place of a personal area network, as taught by COMSTOCK, as it is well known in the art that personal area networks are able to be used in an ad hoc setting.

Regarding claim 2, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although FOGEL discloses the use of positional information to provide navigational help to the user, FOGEL does not disclose wherein said location information providing unit having map information, configured to add information of said figured location of said wireless base stations to the map information. ERIKSSON discloses wherein said location information providing unit having map information, configured to add information of said figured location of said wireless base stations to the map information (**240**, abstract, paragraph 28-34; directions and capabilities of a desired access point are presented to the user).

Regarding claim 3, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. However, FOGEL does disclose wherein said location information providing unit configured to display the map information indicating

said figured location of said wireless base stations. ERIKSSON discloses wherein said location information providing unit configured to display the map information indicating said figured location of said wireless base stations (abstract, paragraph 28-34; mapping information is presented to the user on the communication device).

Regarding claim 4, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although FOGEL teach the use of Bluetooth and short range communication (page 15, lines 14-24; page 15, line 23-page 16, line 11; Figure 4), and ERIKSSON discloses the use of a wireless LAN and communication devices capable of using more then one network (paragraph 12, 38), the combination of FOGEL and ERIKSSON does not expressly disclose wherein said mobile communication system is a wireless local area network system being compliant with a standard of IEEE 802.11. COMSTOCK discloses wherein said mobile communication system is a wireless local area network system being compliant with a standard of IEEE 802.11 (paragraph 19-21). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of FOGEL and ERIKSSON to include compliance with 802.11, as taught by COMSTOCK, as 802.11 is a well-known standardized method for short range communication.

Regarding claim 5, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although FOGEL teach the use of Bluetooth and short range communication (page 15, lines 14-24; page 15, line 23-page 16, line 11; Figure 4), and ERIKSSON discloses the use of a wireless LAN and communication devices capable of using more then one network (paragraph 12, 38 (paragraph 12), the

combination of FOGEL and ERIKSSON does not expressly disclose wherein said communication unit being adapted to a standard of IEEE 802.11. COMSTOCK discloses wherein said communication unit being adapted to a standard of IEEE 802.11 (paragraph 19-21). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of FOGEL and ERIKSSON to include compliance with 802.11, as taught by COMSTOCK, as 802.11 is a well-known standardized method for short range communication.

Regarding claim 6, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. FOGEL further discloses further comprising a cellular telephone unit configured to perform cellular communication with a cellular base station being a part of a cellular network (abstract; page 4, lines 2-7). Also, ERICKSSON discloses further comprising a cellular telephone unit configured to perform cellular communication with a cellular base station (paragraph 12).

Regarding claim 7, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. FOGEL further discloses wherein said acquiring unit configured to acquire identification information of said wireless base stations which is included in a signal transmitted from said wireless base stations (page 15, lines 14-24; page 15, line 23-page 16, line 11).

Regarding claim 8, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. FOGEL further discloses wherein said acquiring device configured to acquire identification information of said wireless base stations

which is included in a signal transmitted from said cellular base station (page 15, lines 14-24; page 15, line 23-page 16, line 11).

Regarding claim 11, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. FOGEL further discloses a mobile terminal communicable with a plurality of wireless base stations (abstract, page 20, lines 1-13), comprising: a receiver which receives an identification data of at least one of base stations (page 15, lines 6-13); a location detector which detect a present location data of the terminal when the identification data is received (page 15, lines 14-24; page 15, line 23-page 16, line 11; location of apparatus is achieved through GSM signals correlated with acquired base station location, or alternatively, the location of the base station serves as the location of the mobile device); a memory configured to store service location information in which to associate the identification data associated with the present location data (page 15, lines 6-24; page 20, lines 1-13; memory of some form is inherently necessary to store acquired data); a map generating unit configured to generate a map showing the present position of the terminal, using service location information (page 20, lines 1-13); and a display [navigational display] to show the map (page 20, lines 1-13). Although FOGEL suggest the use of the invention to help in navigation (abstract), FOGEL does not expressly disclose a map generating unit configured to share service location information through an ad hoc network with another mobile terminal to generate a map. ERIKSSON discloses a map generating unit configured to share service location information through a network with another mobile terminal to generate a map showing the present position of the terminal among base

stations, using service location information (Figure 2; abstract; paragraph 15, 27-28, 31, 38, 39, 42-44, coordinates and directions are provided to the user on access points determined by user profile and location of the user. Location information is provided to another communication device using a personal area network to provide the mapping of the access points); and a display to show the map (Figure 2; abstract; paragraph 28-34, coordinates and directions are provided to the user on access points determined by user profile and location of the user). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify FOGEL to present figured locations of a plurality of wireless base stations, as taught by ERIKSSON, as both systems relate to positioning and navigation of a wireless device. This is beneficial in that a user can select desired service requirements for locating network access. Although it is clear that ERIKSSON uses a personal area network to communicate access points (paragraph 15, 27-28, 31, 38, 39, 42-44), the combination of FOGEL and ERIKSSON does not expressly disclose the use of an ad hoc network. COMSTOCK discloses the use of an ad hoc network (paragraph 19-21). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of FOGEL and ERIKSSON to use an ad hoc network in place of a personal area network, as taught by COMSTOCK, as it is well known in the art that personal area networks are able to be used in an ad hoc setting.

8. Claims 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over FOGEL (WO 01/50151 A1) in view of ERIKSSON et al (US 2002/0059453 A1).

Regarding claim 9, FOGEL discloses a method for mapping location information of a wireless base station which provides contents data to a mobile communication terminal (page 20, lines 1-13), comprising: acquiring identification information of said wireless base stations (page 15, lines 6-13); detecting a location of said terminal (page 15, lines 14-24; page 15, line 23-page 16, line 11); storing the acquired identification information of said wireless base stations being associated with the detected location of said terminal (page 15, lines 14-24; page 15, line 23-page 16, line 11); figuring the location of said wireless base stations based on the detected terminal location associated with the acquired identification information of said wireless base stations (page 15, lines 14-24; page 15, line 23-page 16, line 11; page 20, lines 1-13). Although FOGEL discloses using acquired location information to provide navigational help to the user, FOGEL does not expressly disclose providing map information indication information of the figured location of said wireless base stations. ERICKSSON discloses figuring the location of said wireless base stations based on the detected terminal location associated with the acquired identification information of said wireless base stations (Figure 2; abstract; paragraph 28-34); and providing map information indication information of the figured location of said wireless base stations (Figure 2; abstract; paragraph 28-34, coordinates and directions are provided to the user on access points determined by user profile and location of the user). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify FOGEL to present figured locations of a plurality of wireless base stations, as taught by ERIKSSON, as both systems relate to positioning and navigation

of a wireless device. This is beneficial in that a user can select desired service requirements for locating network access.

9. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over FOGEL (WO 01/50151 A1) in view of ERIKSSON et al (US 2002/0059453 A1) and further in view of KNUTSSON et al (US 2002/0006788 A1).

Regarding claim 10, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although FOGEL teach the use of Bluetooth and short range communication (page 15, lines 14-24; page 15, line 23-page 16, line 11; Figure 4), and ERIKSSON discloses the use of a wireless LAN (paragraph 12), the combination of FOGEL and ERIKSSON does not disclose wherein said mobile communication terminal is adapted to a standard of IEEE 802.11. KNUTSSON discloses wherein said mobile communication terminal is adapted to a standard of IEEE 802.11 (paragraph 19-21). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of FOGEL and ERIKSSON to include compliance with 802.11, as taught by KNUTSSON, as 802.11 is a well-known standardized method for short-range communication.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ariel Balaoing whose telephone number is (571) 272-7317. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 AM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ariel Balaoing – Art Unit 2617

AB

GEORGE ENG
SUPERVISORY PATENT EXAMINER